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Serial/Patent No.: 10/029,635Filing/Issue Date: October 19, 2001Client: Net ROI LLCTitle PROCESS FOR OPTIMIZING THE EFFECTIVENESS OF A HYPERTEXT ELEMENTBSTZ File No.: 5863-P001RAtty/Secty Initials: JAS/pjsDate Mailed: August 5, 2002Docket Due Date: \*\*\*\*\*

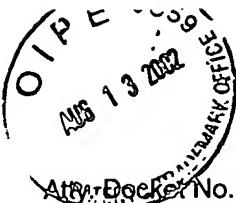
The following has been received in the U.S. Patent &amp; Trademark Office on the date stamped hereon:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.)  | <input type="checkbox"/> Express Mail No.: _____                                     | <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)  | <input type="checkbox"/> _____ Month(s) Extension of Time                            | Amt: _____                               |
| <input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract)                                    | <input type="checkbox"/> Information Disclosure Statement & PTO-1449 (____ pgs.)     | <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)   | <input type="checkbox"/> Issue Fee Transmittal                                       | Amt: _____                               |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)   | <input type="checkbox"/> Notice of Appeal  |  |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)  | <input type="checkbox"/> Petition for Extension of Time                              |  |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)  | <input type="checkbox"/> Petition for _____  |  |
| <input type="checkbox"/> Application - Design (____ pgs.)  | <input type="checkbox"/> Postcard  |  |
| <input type="checkbox"/> Application - PCT (____ pgs.)   | <input type="checkbox"/> Power of Attorney (____ pgs.)                               |  |
| <input type="checkbox"/> Application - Provisional (____ pgs.)   | <input type="checkbox"/> Preliminary Amendment (____ pgs.)                           |  |
| <input type="checkbox"/> Assignment and Cover Sheet  | <input type="checkbox"/> Reply Brief (____ pgs.)                                     |  |
| <input type="checkbox"/> Certificate of Mailing  | <input type="checkbox"/> Response to Notice of Missing Parts                         |  |
| <input type="checkbox"/> Declaration & POA (____ pgs.)   | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business |  |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.)                         | <input type="checkbox"/> Transmittal Letter, in duplicate                            |  |
| <input type="checkbox"/> Drawings: ____ # of sheets includes ____ figures  | <input type="checkbox"/> Fee Transmittal, in duplicate                               |  |
| <input type="checkbox"/> Other: <u>A copy of the filing receipt showing corrections and a copy of the Declaration.</u> |  |  |

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Attn: Docket No. 5863.P001R

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

George R. Garrick, et al.

Serial No.: 10/029,635

Filed: October 19, 2001

For: PROCESS FOR OPTIMIZING THE  
EFFECTIVENESS OF A HYPERTEXT ELEMENT

Assistant Commissioner of Patents  
Washington, D.C. 20231

Examiner: Unassigned

Art Unit: 2154

Confirmation Number: 6105

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REQUEST FOR CORRECTION

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Dear Sir:

On July 15, 2002, we received the official filing receipt in connection with the above-identified patent application.

However, the following information needs to be corrected due to a PTO error regarding the spelling of the inventor's name. Please change:

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FROM:

Geeorge R. Garrick

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TO:

George R. Garrick

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on Aug 5, 2002

Date of Deposit

Pamala Stephenson

Name of Person Mailing Correspondence

Pamala Stephenson  
Signature

August 5, 2002  
Date

Please correct your records to reflect the above information and then forward to us a corrected filing receipt.

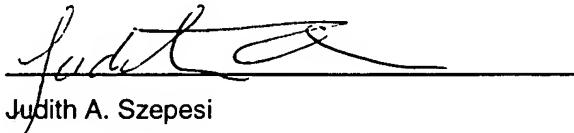
Enclosed is a copy of the filing receipt marked with the appropriate correction, and a copy of the original Declaration showing the correct spelling of the inventor's name.

If you have any questions please contact the undersigned.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 3/5, 2002



Judith A. Szepesi

Reg. No. 39,393

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(408)720-8598

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WASHINGTON, D.C. 20231  
www.uspto.gov

JAS

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/029,635	10/19/2001	2154	1386	005386.P0012	22	30	6

CONFIRMATION NO. 6105

UPDATED FILING RECEIPT



\*OC00000008413490\*

Judith A. Szepesi  
Blakely, Sokoloff, Taylor & Zaffman LLP  
12400 Wilshire Blvd, Seventh Floor  
Los Angeles, CA 90025-1026

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JUL 15 2002

BLAKELY, SOKOLOFF, TAYLOR & ZAFFMAN  
LOS ANGELES

Date Mailed: 07/08/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

George R. Garrick, Chicago, IL; George R. Garrick  
Scott D. Weaver, Schaumburg, IL;

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Domestic Priority data as claimed by applicant

THIS APPLICATION IS A REI OF 08/787,532 01/21/1997 PAT 5,968,125  
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Foreign Applications

If Required, Foreign Filing License Granted 03/13/2002

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Projected Publication Date: Not Applicable

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Non-Publication Request: No

Early Publication Request: No

Title

Process for optimizing the effectiveness of a hypertext element

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Preliminary Class

709

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To JUDITH SPRINGER

O/SB51 (02-01)  
Attorney's Docket No.: 005863.P001R

Patent

REISSUE DECLARATION AND POWER OF ATTORNEY FOR PATENT  
APPLICATION

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As a below named inventor, we hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in U.S. Patent Number 5,968,125, granted on October 19, 1999, and for which a reissue patent is sought on the invention entitled:

PROCESS FOR OPTIMIZING THE EFFECTIVENESS OF A HYPERTEXT ELEMENT  
(Title)

the specification of which

is attached hereto.

was filed on (MM/DD/YYYY) 10/19/2001 as a Reissue Application  
of U.S. Patent No. 5,968,125

United States Application Number \_\_\_\_\_

or PCT International Application Number \_\_\_\_\_

and was amended on (MM/DD/YYYY) 10/19/2001  
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified patent, including the claim(s), as amended by any amendment referred to above.

We acknowledge the duty to disclose all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

We verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below (Check all that apply):

- By reason of a defective specification or drawing.
- By reason of the patentee claiming more or less than he had the right to claim in the patent.
- By reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

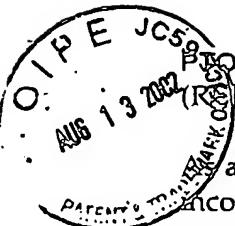
The element "(e) replacing said test web page with said alternate page with the largest number of visits to said one or more linked pages" recited in claim 1 is erroneous.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, PAGE 2)

As a named inventor, we hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to:

Judith A. Szepesi  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
12400 Wilshire Boulevard 7th Floor,  
Los Angeles, California 90025  
Phone Number (408) 720-8300  
Fax Number (408) 720-8383

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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor George R. Garrick

Inventor's Signature Garrick Date 5/3/02

Residence Chicago, IL Citizenship USA  
(City, State) (Country)

Post Office Address 514 West Webster 74 BARRY LN  
Chicago, IL 60614 Apterton CA 94027

Full Name of Second/Joint Inventor Scott D. Weaver

Inventor's Signature Scott D. Weaver Date 5-15-2002

Residence Schaumburg, IL Citizenship USA  
(City, State) (Country)

Post Office Address 516 Juli Drive  
Schaumburg, IL 60193

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APPENDIX A

William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. 42,261; Peggy S. Avalos, Reg. No. 42,274; William Thomas Babbitt, Reg. No. 39,591; Carol F. Barry, Reg. No. 41,600; Jordan Michael Becker, Reg. No. 39,602; Lisa N. Benado, Reg. No. 39,995; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; R. Alan Burnett, Reg. No. 46,149; Gregory D. Caldwell, Reg. No. 39,926; Jae-Hee Choi, Reg. No. 45,288; Thomas M. Coester, Reg. No. 39,637; Robert P. Cogan, Reg. No. 25,049; Donna Jo Coningsby, Reg. No. 41,684; Florin Coric, Reg. No. 46,244; Mimi Diemmy Dao, Reg. No. 45,628; Dennis M. deCuzman, Reg. No. 41,702; Stephen M. De Clerk, Reg. No. 46,503; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Justin M. Dillon, Reg. No. 42,486; Sanjeet Dutta, Reg. No. 46,145; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; Thomas S. Ferrill, Reg. No. 42,532; Mark J. Fink, Reg. No. 45,270; George Fountain, Reg. No. 37,374; Andre Gibbs, Reg. No. 47,593; James Y. Go, Reg. No. 40,621; Alan Heimlich, Reg. No. P48,808; James A. Henry, Reg. No. 41,064; Libby H. Ho, Reg. No. 46,774; Willmore F. Holbrow III, Reg. No. 41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W. Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; William W. Kidd, Reg. No. 31,772; Sang Hui Kim, Reg. No. 40,450; Walter T. Kim, Reg. No. 42,731; Eric T. King, Reg. No. 44,188; Steve Laut, Reg. No. 47,736; George Brian Leavell, Reg. No. 45,436; Samuel S. Lee, Reg. No. 42791; Gordon R. Lindeen III, Reg. No. 33,192; Jan Carol Little, Reg. No. 41,181; Julio Loza, Reg. No. 47,758; Joseph Lutz, Reg. No. 43,765; Michael J. Mallic, Reg. No. 36,591; Andre L. Marais, Reg. No. 48,095; Paul A. Mendonsa, Reg. No. 42,879; Clive D. Menezes, Reg. No. 45,493; Richard A. Nakashima, Reg. No. 42,023; Stephen Neal Reg. No. 47,815; Chun M. Ng, Reg. No. 36,878; Thien T. Nguyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Robert B. O'Rourke, Reg. No. 46,972; Daniel E. Ovanezian, Reg. No. 41,236; Kenneth B. Palcy, Reg. No. 38,989; Gregg A. Peacock, Reg. No. 45,001; Marina Portnova, Reg. No. 45,750; Michael A. Proksch, Reg. No. 43,021; Randolph W. Read, Reg. No. 43,876; William F. Ryann, Reg. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey S. Schubert, Reg. No. 43,098; George Simion, Reg. No. P47,089; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Ronald S. Tamura, Reg. No. 43,179; Edwin H. Taylor, Reg. No. 25,129; Lance A. Termes, Reg. No. 43,184; John F. Travis, Reg. No. 43,203; Kerry P. Tweet, Reg. No. 45,959; Mark C. Van Ness, Reg. No. 39,865; Tom Van Zandt, Reg. No. 43,219; Lester J. Vincent, Reg. No. 31,460; Archana B. Vittal, Reg. No. 45,182; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Mark L. Watson, Reg. No. 46,322; Thomas C. Webster, Reg. No. 46,154; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Firasat Ali, Reg. No. 45,715; Charles P. Landrum, Reg. No. 46,855; Suk S. Lee, Reg. No. 47,745; and Raul Martinez, Reg. No. 46,904; Brent E. Vecchia, Reg. No. P48,011; Lehua Wang, Reg. No. P48,023; my patent agents, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and James R. Thain, Reg. No. 31,710, my patent attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

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APPENDIX B

**Code of Federal Regulations, Section 1.56**  
**Duty to Disclose Information Material to Patentability**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie case of unpatentability* of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

- (i) Opposing an argument of unpatentability relied on by the Office, or
- (ii) Asserting an argument of patentability.

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A *prima facie case of unpatentability* is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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